

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

Date: 5/25/05

Our case # : 04-6704, 04-7297, 04-7374, 04-7962, 04-8721, 04-8963, 04-8990, 04-9249, 04-9304, 04-9429, 04-10265, 05-72, 05-73, 05-74, 05-75, 05-76, 05-77 and 05-237

Dear Sir/Madam,

Enclosed is a certified copy of the civil docket sheet for the above referenced case that is being transferred to your district. The case file can be accessed through our CM/ECF System for the Southern District of New York. Please contact either Mr. Robert Gutierrez at (212) 805-0615 or Mrs. Tracy Rubino at (212) 805-0618 and they will furnish you with a CM/ECF Login and Password that will give you access to our Live CM/ECF database.

The enclosed copy of this letter is for your convenience in acknowledging receipt of these documents.

****Court policy for USDC-SDNY states that all ECF actions require only original, manual paper filings for the initiating documents. You may access our CM/ECF website for any additional documents that your court may require for processing. Certified copies of initiating documents (exhibits excluded) are provided if originals are missing from the court file.****

Yours truly,

J. Michael McMahon
Clerk of Court

Deputy Clerk



**RECEIPT IS ACKNOWLEDGED OF THE DOCUMENTS DESCRIBED HEREIN
AND ASSIGNED CASE NUMBER:**

CASE # _____ ON DATE: _____

CASE TRANSFERRED OUT FORM



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
OFFICE OF THE CLERK
1 COURTHOUSE WAY
BOSTON, MASSACHUSETTS 02210

Sarah Allison Thornton
CLERK OF COURT

May 18, 2005

Mr. John Michael McMahon, Clerk
United States District Court
120 Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

IN RE: MDL DOCKET No. 1629 In Re: Neurontin Marketing and Sales Practices
USDC - Massachusetts Lead Case No. 1:04CV10739-PBS
Your Case: Civil Action Nos:

1:04-6704 Gary Lyman et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11020 PBS
1:04-7297 Minisquero, et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11021 PBS
1:04-7374 Nicole J. James v. Pfizer, Inc. et al	District of MA No: 1:05cv11022 PBS
1:04-7962 Jay DiGiacomo v. Pfizer, Inc. et al	District of MA No: 1:05cv11023 PBS
1:04-8721 Avrill C. Aronson et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11024 PBS
1:04-8963 Jay Dodson, et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11025 PBS
1:04-8990 Timothy P. Scott v. Pfizer, Inc. et al	District of MA No: 1:05cv11026 PBS
1:04-9249 Dorothy Kern v. Pfizer, Inc. et al	District of MA No: 1:05cv11027 PBS
1:04-9304 John Dees, et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11028 PBS
1:04-9429 Peter Veraas v. Pfizer, Inc. et al	District of MA No: 1:05cv11029 PBS
1:04-10265 Theodore Populis, et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11030 PBS
1:05-72 Kathleen Wilson, et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11031 PBS
1:05-73 William Montgomery v. Pfizer, Inc. et al	District of MA No: 1:05cv11032 PBS
1:05-74 Michael Mendoza v. Pfizer, Inc. et al	District of MA No: 1:05cv11033 PBS
1:05-75 Johnnie Hargrove v. Pfizer, Inc. et al	District of MA No: 1:05cv11034 PBS
1:05-76 Shanan Feyrer, et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11035 PBS
1:05-76 Gregory Retzer v. Pfizer, Inc. et al	District of MA No: 1:05cv11036 PBS
1:05-77 Sidney Brown, et al v. Pfizer, Inc. et al	District of MA No: 1:05cv11037 PBS

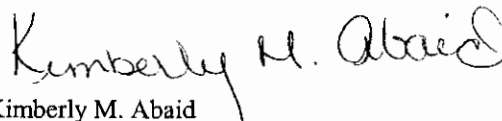
Dear Mr. McMahon:

Enclosed is a certified copy of the Order of the Judicial Panel on Multi-District Litigation, transferring the cases on the attached listing to the U.S. District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to Title 28 United States Code Section 1407. These cases have been assigned to the Honorable Patti B. Saris.

In accordance with the Rules concerning Multi-District Litigation, please forward the original case file, along with a certified copy of the docket entries and a copy of the transfer order for the case now pending in your district as indicated above. Also include a copy of this letter when transmitting your records to the above address.

Your prompt attention to this matter is greatly appreciated. If you should have any questions, please do not hesitate to contact the undersigned at 617-748-9113, Robert Alba, Courtroom Clerk for Judge Saris at 617-748-9175 or Christine Patch, Docket Clerk for Judge Saris, at 617-748-9178.

Sincerely,

A handwritten signature in cursive script that reads "Kimberly M. Abaid". The signature is written in dark ink and is positioned above the printed name and title.

Kimberly M. Abaid
Deputy Clerk

Information Copy to: Michael Beck, Clerk of the Panel
Counsel of Record
Robert Alba
Christine Patch

CLOSED, ECF, LEAD

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:04-cv-06704-JSR

Lyman v. Pfizer, Inc. et al

Assigned to: Judge Jed S. Rakoff

Related Cases: [1:04-cv-04593-RJH](#)[1:04-cv-04593-RJH](#)[1:05-cv-04161-JSR](#)[1:04-cv-08720-JSR](#)[1:04-cv-08963-JSR](#)[1:04-cv-08719-JSR](#)[1:04-cv-09249-JSR](#)[1:04-cv-09429-JSR](#)[1:05-cv-00072-JSR](#)[1:05-cv-00073-JSR](#)[1:05-cv-00076-JSR](#)[1:05-cv-00077-JSR](#)[1:05-cv-00237-JSR](#)[1:05-cv-00237-JSR](#)[1:05-cv-04162-JSR](#)[1:05-cv-04163-JSR](#)[1:05-cv-04164-JSR](#)[1:05-cv-04166-JSR](#)[1:05-cv-04165-JSR](#)[1:05-cv-04167-JSR](#)[1:04-cv-08721-JSR](#)[1:05-cv-04168-JSR](#)[1:05-cv-04869-JSR](#)[1:05-cv-04169-JSR](#)[1:05-cv-04170-JSR](#)[1:05-cv-04171-JSR](#)[1:05-cv-04172-JSR](#)

Date Filed: 08/18/2004

Jury Demand: Defendant

Nature of Suit: 370 Fraud or

Truth-In-Lending

Jurisdiction: Federal Question

[1:05-cv-04173-JSR](#)

[1:05-cv-04160-JSR](#)

[1:05-cv-04159-JSR](#)

[1:05-cv-04854-JSR](#)

[1:05-cv-04855-JSR](#)

[1:05-cv-04856-JSR](#)

[1:05-cv-04860-JSR](#)

[1:05-cv-04857-JSR](#)

[1:05-cv-04858-JSR](#)

[1:05-cv-04859-JSR](#)

[1:05-cv-04861-JSR](#)

[1:05-cv-04862-JSR](#)

[1:05-cv-04863-JSR](#)

[1:05-cv-04865-JSR](#)

[1:05-cv-04866-JSR](#)

[1:05-cv-04867-JSR](#)

[1:05-cv-04868-JSR](#)

Case in other court: State Court-Supreme,
110696-04

Cause: 28:1441 Notice of Removal

Plaintiff

Gary L. Lyman

*as Personal Representative of the
Estate of Joshua James Lyman,
deceased*

represented by **Eleanor Louise Polimeni**
Finkelstein & Partners, LLP
436 Robinson Ave.
Newburgh, NY 12550
845-563-9421
Fax: 845-562-3492
Email:
epolimeni@lawampm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Consol Plaintiff

Mark Minisquero

represented by **Eleanor Louise Polimeni**
Finkelstein & Partners, LLP

436 Robinson Avenue.
Newburgh, NY 12550
(845) 563-9421
Fax: (845) 562-3492
Email:
epolimeni@lawampm.com
ATTORNEY TO BE NOTICED

Consol Plaintiff

Nicole Justine James

represented by **Andrew G. Finkelstein**
Finkelstein & Partners, LLP
436 Robinson Avenue
Newburgh, NY 12550
914-562-0203
ATTORNEY TO BE NOTICED

Consol Plaintiff

Stephen Brodsky

represented by **Eleanor Louise Polimeni**
(See above for address)
ATTORNEY TO BE NOTICED

Consol Plaintiff

Dan Huffman

represented by **Eleanor Louise Polimeni**
(See above for address)
ATTORNEY TO BE NOTICED

Consol Plaintiff

Jay DiGiacomo

Consol Plaintiff

Patti Paulsen

represented by **Eleanor Louise Polimeni**
Finkelstein & Partners, LLP
436 Robinson Avenue
Newburgh, NY 12550
845-563-9421
Fax: 845-562-3492
Email:
epolimeni@lawampm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff**Eva Potts**

represented by **Eleanor Louise Polimeni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff**Adam Sumait**

represented by **Eleanor Louise Polimeni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff**Eliza Sumait**

represented by **Eleanor Louise Polimeni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff**Jr. Manuel Sumait**

represented by **Eleanor Louise Polimeni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff**Matthew Sumait**

represented by **Eleanor Louise Polimeni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff**Mercelino Sumait**

represented by **Eleanor Louise Polimeni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff**Ramona Sumait**

represented by **Eleanor Louise Polimeni**
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff

Rosalia Sumait

Consol Plaintiff

Monica Smith

represented by **Eleanor Louise Polimeni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff

Avrill C. Aronson

represented by **Eleanor Louise Polimeni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff

Joy Dodson

represented by **Andrew G. Finkelstein**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consol Plaintiff

Tammy Dodson

represented by **Andrew G. Finkelstein**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Pfizer, Inc.

represented by **James P. Rouhandeh**
Davis Polk & Wardwell
450 Lexington Avenue
New York, NY 10017
(212) 450-4000
LEAD ATTORNEY

ATTORNEY TO BE NOTICED**Erik March Zissu**

Davis Polk & Wardwell

450 Lexington Avenue

New York, NY 10017

(212) 450-4511

Fax: 212 450-3511

Email: zissu@dpw.com

ATTORNEY TO BE NOTICED**Defendant****Parke-Davis***a division of Warner-Lambert**Company and Warner-Lambert**Company, LLC*represented by **Erik March Zissu**

(See above for address)

ATTORNEY TO BE NOTICED**James P. Rouhandeh**

(See above for address)

ATTORNEY TO BE NOTICED**Defendant****Warner-Lambert Company**represented by **Erik March Zissu**

(See above for address)

ATTORNEY TO BE NOTICED**James P. Rouhandeh**

(See above for address)

ATTORNEY TO BE NOTICED**Defendant****Waner-Lambert Company,
LLC***TERMINATED: 10/27/2004*represented by **Erik March Zissu**

(See above for address)

ATTORNEY TO BE NOTICED**James P. Rouhandeh**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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08/18/2004	<u>1</u>	NOTICE OF REMOVAL from Supreme Court, County of New York. Case Number: 110696-04. (Filing Fee \$ 150.00, Receipt Number 517815).Document filed by Parke-Davis, Pfizer, Inc., Waner-Lambert Company, LLC, Warner-Lambert Company.(gf,) Additional attachment(s) added on 8/19/2004 (gf,). (Entered: 08/19/2004)
08/18/2004	<u>2</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Parke-Davis, Pfizer, Inc., Waner-Lambert Company, LLC, Warner-Lambert Company.(gf,) Additional attachment(s) added on 8/19/2004 (gf,). (Entered: 08/19/2004)
08/18/2004		CASE REFERRED TO Judge Shira A. Scheindlin as possibly related to 1:04-cv-4593. (gf,) (Entered: 08/19/2004)
08/18/2004		Case Designated ECF. (gf,) (Entered: 08/19/2004)
08/23/2004	<u>3</u>	NOTICE of Appearance by Eleanor Louise Polimeni on behalf of Gary L. Lyman (Polimeni, Eleanor) (Entered: 08/23/2004)
09/17/2004	<u>4</u>	NOTICE of Appearance by Erik March Zissu on behalf of Pfizer, Inc., Waner-Lambert Company, LLC, Warner-Lambert Company (Zissu, Erik) (Entered: 09/17/2004)
09/20/2004		CASE ACCEPTED AS RELATED TO 1:04-cv-4593. Notice of Assignment to follow. (gf,) (Entered: 09/29/2004)
09/20/2004	<u>6</u>	NOTICE OF CASE ASSIGNMENT to Judge Richard J. Holwell. Judge Unassigned no longer assigned to the case. (gf,) (Entered: 09/29/2004)
09/20/2004		Magistrate Judge Douglas F. Eaton is so designated. (gf,) (Entered: 09/29/2004)
09/27/2004	<u>5</u>	ORDER RE INITIAL PRETRIAL CONFERENCE: Initial Conference set for 11/19/2004 02:30 PM before Judge Unassigned. (Signed by Judge Richard J. Holwell on 9/22/04) (cd,) (Entered: 09/27/2004)

09/29/2004		Mailed notice to the attorney(s) of record. (gf,) (Entered: 09/29/2004)
10/05/2004	<u>7</u>	STIPULATION AND ORDER, defts shall have 30 days following the entry of an order ruling on the motion to remand to answer the complaint. (Signed by Judge Richard J. Holwell on 10/5/04) (cd,) (Entered: 10/06/2004)
10/21/2004	<u>8</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Parke-Davis, Pfizer, Inc., Waner-Lambert Company, LLC, Warner-Lambert Company.(Zissu, Erik) (Entered: 10/21/2004)
10/27/2004	<u>9</u>	ORDER The Court, on its own motion, hereby consolidates for all purposes all six cases, 04cv6704, 04cv7297, 04cv7374, 04cv7960, 04cv7961, and 04cv7962, which collectively shall henceforth be captioned "In re Neurontin" and bear the docket number of the first-filed case, to wit, 04 Civ. 6704 (JSR). So Ordered. (Signed by Judge Jed S. Rakoff on 10/26/04) (jco,) (Entered: 10/28/2004)
10/29/2004	<u>10</u>	NOTICE OF CASE REASSIGNMENT to Judge Jed S. Rakoff. Judge Richard J. Holwell no longer assigned to the case. (gf,) (Entered: 11/03/2004)
11/03/2004		Mailed notice to the attorney(s) of record. (gf,) (Entered: 11/03/2004)
11/17/2004		Minute Entry for proceedings held before Judge Jed S. Rakoff : Telephone Conference held on 11/17/2004. (cd,) (Entered: 12/01/2004)
12/06/2004	<u>11</u>	ORDER the Court, on its own motion, hereby consolidates these cases 04cv6704, 04cv8464, 04cv8719, 04cv8720, 04cv8721, and 04cv8963, with the earlier cases under the common caption of In re Neurontin, 04 civ. 6704 (JSR). Any party objection to the foregoing consolidation must so notify the Court, in writing, by no later than 12/13/04, in which case the Court will then convene a hearing to evaluate any such objection. Failure to raise any objection by December 13 will be deemed a waiver of any such objection. So Ordered. (signed by

		Judge Jed S. Rakoff on 12/6/04) (jco,) (Entered: 12/07/2004)
01/27/2005	<u>12</u>	MOTION for Discovery <i>Letter Brief in In Re Neurontin re: scope of production, with affidavits of Cheryl Blume and Keith Altman attached.</i> Document filed by Gary L. Lyman. (Polimeni, Eleanor) (Entered: 01/27/2005)
02/03/2005	<u>13</u>	RESPONSE in Opposition re: <u>12</u> MOTION for Discovery <i>Letter Brief in In Re Neurontin re: scope of production, with affidavits of Cheryl Blume and Keith Altman attached..</i> Document filed by Pfizer, Inc., Parke-Davis, Warner-Lambert Company, Waner-Lambert Company, LLC. (Zissu, Erik) (Entered: 02/03/2005)
02/07/2005		Minute Entry for proceedings held before Judge Jed S. Rakoff : Telephone Conference held on 2/7/2005. (kw,) (Entered: 02/15/2005)
02/08/2005	<u>14</u>	PROTECTIVE ORDER regarding procedures to be followed that shall govenor the handling of "confidential materials" (Signed by Judge Jed S. Rakoff on 2/2/05) (jco,) (Entered: 02/10/2005)
02/22/2005	<u>15</u>	ORDER; granting <u>12</u> Motion for Discovery. (Signed by Judge Jed S. Rakoff on 2/20/05) (sac,) (Entered: 02/23/2005)
04/07/2005		Minute Entry for proceedings held before Judge Jed S. Rakoff : Telephone Conference held on 4/7/2005. (jco,) (Entered: 04/12/2005)
04/14/2005		Minute Entry for proceedings held before Judge Jed S. Rakoff : Status Conference held on 4/14/2005. (kw,) (Entered: 04/22/2005)
04/15/2005	<u>16</u>	ORDER: all discovery is to be completed by 1/23/06. (See document for further related discovery schedule). Moving papers on any post-discovery motions must be served by 2/14/06, answering papers by 2/28/06, and reply papers by 3/7/06. A Final pre-trial conference, as well as oral argument on any such motions, will be held on 3/14/06 at 10:00 a.m. No further requests for extension of discovery will be entertained. (Signed by Judge Jed S.

		Rakoff on 4/15/05) (kw,) (Entered: 04/18/2005)
04/15/2005		Minute Entry for proceedings held before Judge Jed S. Rakoff : Telephone Conference held on 4/15/2005. (pl,) (Entered: 04/25/2005)
04/21/2005	<u>17</u>	BRIEF <i>motion to compel discovery in In Re Neurontin</i> . Document filed by Gary L. Lyman.(Polimeni, Eleanor) (Entered: 04/21/2005)
04/26/2005	<u>18</u>	ORDER; that dfts' proposed temporal boundary is modified and plaintiffs' motion granted, subject to some limitations. (Signed by Judge Jed S. Rakoff on 4/25/05) (pl,) (Entered: 04/27/2005)
05/25/2005	<u>19</u>	CERTIFIED TRUE COPY OF MDL ORDER FROM THE MDL PANEL LIFTING STAY OF CONDITIONAL TRANSFER ORDER... that the stay of the Panel conditional transfer order designated as CTO-6, filed on 4/13/05, is LIFTED and the action is transferred to the USDC-DMA. for the coordinated or consolidated pretrial proceedings under 28 U.S.C. 1407 being conducted by the Honorable Patti B. Saris. (Signed by Judge MDL Panel on 5/11/05) (gf,) (Entered: 05/26/2005)
05/25/2005		MDL TRANSFER OUT: Mailed certified copy of docket entries and transfer order along with letter of acknowledgment to the United States District Court - District of Massachusetts. Mailed via Federal Express AIRBILL # 8434 1350 4862 on 5/26/05. (gf,) (Entered: 05/26/2005)
05/26/2005		Mailed letter to the United States District Court - District of Massachusetts acknowledging receipt of their entire file, a certified copy of the transfer order and docket entries. (gf,) (Entered: 05/26/2005)

PACER Service Center**Transaction Receipt**

06/13/2005 09:47:17			
PACER Login:	us2510	Client Code:	
Description:	Docket Report	Search Criteria:	1:04-cv-06704-JSR
Billable Pages:	6	Cost:	0.48
